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LETTER DATED 20 APRIL 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 20 April 1992 addressed to you by the Minister for Foreign Affairs of Iraq, Mr. Ahmad Hussein, concerning the so-called issue of the "Kuwaitis" in Iraq.

I should be grateful if you would have this letter and the annex hereto circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

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Annex

Letter dated 20 April 1992 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

MINISTRY OF FOREIGN AFFAIRS

Office of the Minister

Further to our letter dated 31 March 1992 and the preceding letters concerning the so-called issue of the "Kuwaitis" in Iraq, the delegation of the International Committee of the Red Cross (ICRC) in Baghdad has submitted its note No. 6597 dated 26 March 1992 and an annexed list containing 850 names, 723 of them Kuwaiti and 127 of different nationalities.

The latest list is the seventh amended list submitted by the Kuwaiti authorities. During the period from March 1991 to March 1992, the Kuwaiti authorities have transmitted to Iraq through ICRC and the League of Arab States seven lists, in which the numbers differ. Each time they mention a different number from the previous time. We give below the different numbers in the seven lists received by Iraq, which are inconsistent in the numbers of names given, as follows:

The first list contains 11,431 names - April 1991;

The second list contains 5,433 names - May 1991;

The third list contains 4,290 names - June 1991;

The fourth list contains 2,479 names - August 1991;

The fifth list contains 2,443 names - October 1991;

The sixth list contains 2,201 names - March 1992;

The seventh list contains 850 names - March 1992.

Ever since the cessation of military aggression, Iraq has spared no effort in cooperating with ICRC, the United Nations, Arab and international humanitarian organizations and international envoys by making all the requisite arrangements for finding out the truth regarding this issue, which, beyond any doubt, has been used against Iraq for hostile and inhumane political purposes.

We informed you in our previous letter that Iraq has fulfilled its obligations under paragraphs 30 and 31 of Security Council resolution 687 (1991), inasmuch as we, for our part, have carried out the practical measures required under the two above-mentioned paragraphs, since we have:

1. Permitted ICRC to visit all prisons and places of detention in Iraq for the purpose of looking for missing Kuwaitis and other missing persons, without any restrictions or limitations;

2. Published in the newspapers on a number of occasions a list of the names of the missing with a view to providing us and ICRC with information about them.

An elementary consultation of the file on this subject leads us to find that the Kuwaiti regime and the other coalition parties formed a resolve at the time that this file was to constitute the cornerstone of their hostile activity aimed at discrediting Iraq, its leadership and its people, unrestrained by conscience or reference to the facts, and that they are merely exploiting the unnatural international circumstances surrounding Iraq.

Throughout the period referred to above and because of the circumstances through which Iraq is passing and which are well known to you, the Kuwaiti regime and the other coalition parties have assiduously engaged in ignominious lying and deliberate deception so as not to give the Arab and the international community any opportunity to become aware of the truth and, accordingly, put an end to the economic blockade imposed on Iraq without any justification.

The decisive proof of the untruthfulness of the allegations of the Kuwaiti regime and the coalition parties is their presentation of seven contradictory lists and the mention of different numbers each time, for, as is known in law, "Contradiction has no validity" and "He who strives to negate what has been done on his part is estopped". They claim that every list that they submit is the final and corrected list, which proves that, because of their inability to face the facts that disprove their allegations, they are strenuously trying to avoid the closing of this file as long as it encompasses some means that may be employed for attacking Iraq for the purpose of prolonging the iniquitous economic blockade imposed on it.

Any deliberate study of the principles set forth in the 1949 Geneva Conventions signed by all the parties concerned and any careful review of the principles of international humanitarian law and of all international customs and covenants and their correlation with Iraq's positive positions on the so-called "Kuwaiti detainees" leaves us convinced that the time has come to put an end to this issue in order to prevent the Kuwaiti regime and the other hostile parties from exaggerating and using this file against Iraq without any right and contrary to the truth. We appeal to you and to all States Members of the United Nations to become aware of the truth of this matter now that Iraq has repatriated more than 6,520 Kuwaitis and has submitted lists of the Kuwaiti and other nationals still in Iraq to the Kuwaiti authorities through ICRC. The latter number 3,594 and are free in Iraq, not detained. Up to the present time, the Kuwaiti authorities have not consented to receive them. Iraq has also furnished all possible information and extended all possible cooperation to all competent and other Arab and international committees and organizations with regard to the so-called "Kuwaiti detainees" and has allowed

them to make full-length visits without restriction to prisons and places of detention. It has permitted the publication of lists of the alleged missing persons in all Iraqi newspapers in order to facilitate the search for information about them, and now, after all that, it has no further information to furnish in the future. Accordingly, it is not just or equitable that the rulers of Kuwait and the parties of the alliance should persist in injuring Iraq.

Iraq once again requests you, the Secretary-General, the Security Council, ICRC and all humanitarian and international organizations to take into consideration the above-mentioned facts and to stop the Kuwaiti regime and the hostile international parties continuing their disgraceful and tendentious procedures aimed at prolonging the economic blockade against Iraq.

I request you to have this letter circulated as an official document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs
18 Shawwal A.H. 1412
20 April A.D. 1992